

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

LANDS – Hyderabad District – Shaikpet Mandal – Transfer of Rights on certain occupations / encroachments of specified categories of unassigned Government lands – Application of Sri E.Bapanaiah S/o late E.Venkata Subbamma in respect of Premises No. 8-2-685/1/1, Road No.12, Banjara Hills, Shaikpet Village and Mandal – Rejected – Orders – Issued.

Revenue (Assignments.III) Department

G.O. Ms. No. 871

Dated 21.08.2010.
Read the following :-

- (1) Letter No. I2/4752/2007, dated 12.10.2007 addressed to Special Chief Secretary and Chief Commissioner of Land Administration, AP Hyderabad.
- (2) From the Chief Commissioner of Land Administration, AP Hyderabad Letter No. BB2/2566/2009, dated 16.12.2009.
- (3) Representation dated 24.12.2009 received from Sri E.Bapanaiah addressed to Government.

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ORDER :-

In the reference 1st read above, the District Collector – Hyderabad has submitted that Sri E.Venkateswara Rao and Sri E.Bapanaiah have applied for regularization of encroached Government land in Premises No. 8-2-685/1/1 at Road No.12, Banjara Hills, Shaikpet Village and Mandal Hyderabad District requesting for regularization of Government land in TS No.24, Block-H, Ward No.9 correlated to Sy. No.403 of Shaikpet Village encroached by them in Premises No.8-2-685/1/1 at Road No.12, Banjara Hills, Shaikpet Village and Mandal, Hyderabad District as was done by the Government in the cases of several land grabbers by issuing various Government Orders.

2. The District Collector – Hyderabad also submitted that vide Proceedings No.I3/175/1999, dated 07.02.2004 orders were issued rejecting the request of the applicants for regularization as there are court litigation in WP No. 29190 of 1998 and W.P. No. 18333 of 1999 and W.P. No. 28787 of 1998 pending in the Hon'ble High Court and also the land is vacant on ground.

3. The District Collector – Hyderabad has further submitted that the Mandal Revenue Officer, Golconda has filed L.G. Case No. 57/89 against Sri Ram Mohan Rao and (20) others including the applicants viz Sri E.Venkateswara Rao and Sri E.Bapanaiah in respect of the land in TS No. 24, Block-H, Ward No.9, correlated to Sy. No. 403 of Shaikpet Village which was allowed in favour of Government. Against the said judgment the applicants have filed W.P. No.29190/98 and 28787/98 which was also ordered in favour of the Government. Sri E.Venkateswara Rao and Sri E.Bapanaiah have filed Review Petition in W.P. M.P. No. 3847 of 2007 in WP No. 28787 of 1998 which was dismissed by the Hon'ble High Court on 13.04.2007. The applicant also filed SLP (CC) No. 12121/07 against the orders of the Hon'ble High Court in W.P. No.28787/98 and it is pending before the Supreme Court of India.

4. The District Collector – Hyderabad also submitted that the land in question is vacant on ground and the land is recovered from the applicant in pursuance of the Special Court Orders in L.G. Case No. 57 of 1989 and W.P. No. 28787/98 and it was allotted for construction of B.C.Bhavan vide G.O. Rt. No. 323, Revenue (Assn.III) Department dated 17.2.2007.

5. Sri E.Venkateswara Rao and Sri E.Bapanaiah have filed a W.P. No. 16207 of 2007 before the Hon'ble High Court inter-alia to direct the respondents to regularize the land of the Petitioners admeasuring 915 Square Yards and 945 Square yards situated in Sy. No.129/7, House bearing MCH No. 8-2-685/1/1 at Road No.12, Banjara Hills, Hyderabad on par with the case of Sri D.T.Naik the 7th respondent vide G.O. Ms. No. 940, Revenue (Assn.III) Department, dated 11.9.1992 and on par with the other land grabbers.

6. The Hon'ble High Court in its Order dated 25.3.2009 in W.P. No. 16207 of 2007 disposed of with the following direction.

"For the foregoing reasons, the Writ Petition is disposed of directing respondent 1 to 3 to process the applications dated 07.03.2008 submitted by the petitioners in terms of G.O. Ms. No.166 and pass appropriate orders within the period of three months from the date of receipt of a copy of this order. Till such time, statusquo obtaining as on today over the land shall be continued. Depending upon the outcome of the applications, it shall be open to the petitioners to work out their remedies vis-à-vis the 7th respondent in accordance with law"

7. Keeping in view the above direction of the Hon'ble High Court in its order dated 25.3.2009 in WP No. 16207 of 2009 the Government in their Memo. No. 32143/Assn.III(1)/2007 dated 20.10.2009 requested the Chief Commissioner of Land Administration, AP Hyderabad and the District Collector –Hyderabad to examine the application under G.O. Ms. No.166, Revenue (Assn.III) Department, dated 16.2.2008 and send the report.

8. In the reference 1st read above, the Chief Commissioner of Land Administration, A.P., Hyderabad has submitted that the District Collector - Hyderabad furnished a proposal for regularization of Government land encroached by Sri E.Bapanaiah S/o late E.Venkata Subbamma to an extent of 1000 Square Yards (500 Square Yards + 500 Square Yards in two applications) in Premises No. 8-2-685/1/1, Road No.12, Banjara Hills correlated to Sy. No. 403/1 of Shaikpet Village and Mandal of Hyderabad District for placing before the State Regularization Committee.

9. While furnishing the proposal to the Chief Commissioner of Land Administration, the District Collector - Hyderabad has submitted that the land applied for regularization was inspected by the District Level Committee and after Joint Inspection by the District Level Committee, the application was placed before the District Level Committee Meeting held on 14.9.2009. The District Level Committee has decided to forward to reject the case for regularization of Government land encroached to an extent of 1000 Square Yards (500 Square Yards + 500 Square Yards) as the land is required for public purpose and requested to forward the application to the Chief Commissioner of Land Administration, AP Hyderabad for placing the same before the State Level Committee headed by the Chief Commissioner of Land Administration, A.P. Hyderabad for taking a decision.

10. The Chief Commissioner of Land Administration in his letter dated 16.12.2009 while narrating the above facts reported by the District Collector has reported that the proposal for regularization of the land to an extent of 1000 Square yards (500 + 500 Square Yards) in Pr. No. 8-2-685/1/1, Road No.12, Banjara Hills, Shaikpet Hyderabad in favour of Sri E.Bapanaiah was placed in the Regularization Committee Meeting held on 25.11.2009 and the Committee has not recommended the case. Therefore, the Special Chief Secretary and Chief Commissioner of Land Administration, AP Hyderabad furnished the recommendations of the State Regularization Committee along with records and requested the Government for taking necessary further action in the matter.

11. Government after careful examination of the material facts and records and also the contents raised in the representation dated 24.12.2009 hereby accept the recommendations of the Committee dated 25.11.2009 of the Chief Commissioner Land Administration AP Hyderabad in respect of the request of Sri E. Bapanaiah for transfer of rights admeasuring 1000 Square Yards (500 Square Yards + 500 Square Yards) in Sy. No. 129/7, PS No.24, Ward No.9, Block 'H', (premises No. 8-2-685/1/1), Road No.12, Banjara Hills, Hyderabad District and accordingly reject the request for regularization since the site is required for public purpose. The present representation dated 24.12.2009 also does not contain merits and no fresh grounds except that the BC Bhavan was constructed in another place.

12. The Special Chief Secretary and Chief Commissioner of Land Administration, A.P. Hyderabad / District Collector - Hyderabad shall take necessary further action accordingly.

13. The original records bearing No. I2/1705/2008 contains NF 6 pages and CF 140 pages are returned herewith to the District Collector - Hyderabad. He is requested to acknowledge the records.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ANIL CHANDRA PUNETHA
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Special Chief Secretary & Chief Commissioner of
Land Administration, AP Hyderabad.
The Collector - Hyderabad.
(with records)
Copy to:
The Applicant (thro' Collector - Hyd.)
SF

/ Forwarded :: By Order /

SECTION OFFICER